

MEMO ENDORSED

May 11, 2023

Gregg L. Weiner
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036

Michael N. Ungar
Ulmer & Berne LLP
1660 W. 2nd Street, Ste. 1100
Cleveland, Ohio 44113

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED 5-17-2023

BY CM/ECF & HAND DELIVERY

The Honorable Lewis A. Kaplan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Terra Towers Corp., et al., v. Telecom Business Solution, LLC, et al.*,
Civil Action No.: 1:22-cv-07301

Your Honor:

Undersigned counsel represent Telecom Business Solution, LLC and LATAM Towers, LLC (collectively, "Peppertree"), and AMLQ Holdings (Cay), Ltd. ("AMLQ," together with Peppertree, "Peppertree/AMLQ") in the above-captioned action (the "Action"). Pursuant to Federal Rule of Civil Procedure 5.2(d), Peppertree/AMLQ respectfully seek leave to file under seal their Opposition to the Motion for Leave to Supplement Amended Petition to Disqualify Arbitral Panel (the "Opposition"), filed by Petitioners Terra Towers Corp., TBS Management, S.A., and DT Holdings, Inc. (together, "Terra/DTH").

By way of background, this Action relates to the American Arbitration Association matter of *Telecom Business Solution, LLC et al. v. Terra Towers Corp. et al.*, AAA Case No. 01-21-0000-4309 (the "Arbitration"). In a procedural order issued in August 2021, the Tribunal ordered:

The Parties shall treat the details of the Arbitration as private and confidential, except to the extent necessary to comply with mandatory applicable laws, including regulatory obligations, court orders, or orders of a regulatory or an administrative body, or to comply with obligations to insurers, auditors, accountants, or investors. In such cases, the disclosure shall not extend beyond what is legally required and any non-governmental recipients shall commit to maintain the information in confidence.

ECF No. 5-7 (Procedural Order No. 2), ¶ 22 (the "Confidentiality Order"). This Order is consistent with the confidentiality provisions of the parties' underlying shareholders agreement (the "Shareholders Agreement"), under which the parties agreed not to disclose any confidential information disclosed to it by another shareholder, subject to limited exceptions. See ECF No. 5-16 (Shareholders Agreement), § 6.03. The Opposition contains information covered by the Confidentiality Order and the confidentiality provisions of the parties' Shareholders Agreement.

Undersigned counsel will meet and confer with counsel for Terra/DTH concerning confidentiality designations in this matter. We will then promptly re-file publicly any material that they agree is non-confidential and bring any remaining disputes concerning confidentiality to the Court for resolution. In the meantime, for the reasons discussed above, Peppertree/AMLQ respectfully request leave to file the Opposition under seal.

Respectfully submitted,

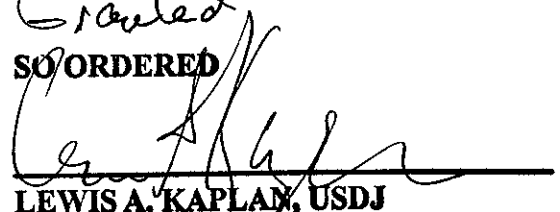
/s/ Gregg L. Weiner
Gregg L. Weiner

Counsel for AMLQ Holdings (Cay), Ltd.

/s/ Michael N. Ungar
Michael N. Ungar

*Counsel for Telecom Business Solution, LLC
and LATAM Towers, LLC*

CC: All Counsel of Record

Granted
SO ORDERED

LEWIS A. KAPLAN, USDJ
5/17/23